

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/759,223

REMARKS

Claim 6 has been amended to correct the grammatical error noted by the Examiner.

Applicant respectfully traverses the rejection of claims 1, 2 and 5-9 under 35 U.S.C. § 102(b) as being anticipated by Smith '898, and the rejection of claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Smith '898, and respectfully requests the Examiner to reconsider and withdraw these rejections and to find the application to be in condition for allowance with the previously rejected claims 1-9 and also the new claims 10-14 which, Applicant respectfully submits, also are neither anticipated nor rendered obvious by Smith's disclosure.

More specifically, Applicant respectfully submits that the independent claims 1, 9 and 10 contain the limitations, "the ribs being rigid" and "reinforcing the body", which limitations are neither disclosed, expressly or inherently, nor even suggested by Smith whose ribs 19 and 21 are "resilient" and actually made of "rubber-like material"; see Smith at column 2, line 56.

That the ribs 19 and 21 are made of "rubber-like material" and are **not rigid** is confirmed by Smith's specification at column 1, line 7, and column 3, line 57, which specifies that the flexible strip 25 provided in the body 15 is "rigid" to prevent the pattern of the body 11 from carrying over and being visible upon the surface of the rubber-like material. Thus, it is clear that, if this "rubber-like material" were rigid, then it would **not be necessary to provide an additional rigid strip**.

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Moreover, the ribs 19, 21 are unable to reinforce the metal body 11 since they are made of "rubber-like material". On the contrary, and as stated in lines 17-34, column 1, the body stiffens the rubber-like material "to afford shape retention to the composite structure".

Thus, it is clear that Smith is **incapable** of anticipating the independent parent claims 1 and 9 and the claims dependent thereon. Furthermore, and notwithstanding the Examiner's statement to the contrary, the subject matter of each of claims 3 and 4 would not have been obvious from Smith's disclosure in view of the above-noted Smith's description at column 1, lines 67, and column 3, line 57.

The same argument applies to new claims 10-14. These claims are further novel and unobvious over Smith because of the fact that independent parent claim 10 contains the additional limitation, "the ribs...extending from one of said walls to another of said walls, and reinforcing the body". Such a limitation is neither disclosed nor suggested in Smith where the ribs 19, 21 do **not extend** between two walls of the body 11. Moreover, one skilled in the art would not contemplate this limitation in the structure of Smith, since it would prevent insertion of the flange 17 between the ribs 19 and 21, as illustrated by Fig. 3.

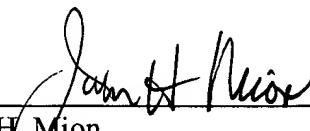
Thus, Applicant respectfully submits that new claims 10-14 are not anticipated by, or unpatentable (obvious) over, Smith's disclosure.

In summary, then, Applicant respectfully requests the Examiner to reconsider and withdraw the objection to claim 6, and to reconsider and withdraw the prior art rejections of claims 1-9, and to find the application to be in condition for allowance with the amended claims 1-9 and the new claims 10-14; however, if for any reason the Examiner feels that the application

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is not now in condition for allowance, Applicant respectfully requests the Examiner to **call the undersigned attorney** to discuss any unresolved matters and to **expedite** the disposition of the application.

Respectfully submitted,



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Date: August 1, 2003